

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOHN DOE,

Plaintiff,

v.

Case No. 1:22-cv-03283-ESK-AMD

**THE COLLEGE OF NEW JERSEY and
KATHRYN FOSTER,**

Defendants.

JOINT STATUS REPORT

In accordance with the Court's April 15, 2024 Order (ECF No. 52), the parties respectfully submit this updated joint status report to update the Court on the following issues:

1. On May 31, 2022, Plaintiff filed his Complaint against Defendants The College of New Jersey ("TCNJ") and Kathryn Foster ("Foster"). ECF No. 1.
2. Plaintiff simultaneously filed a motion to proceed by the pseudonym John Doe. ECF No. 5.
3. On August 29, 2022, Defendants filed an opposition to Plaintiff's motion to proceed by pseudonym. ECF No. 10.
4. On September 12, 2022, Defendants filed a motion to dismiss Plaintiff's Complaint. ECF No. 12.
5. On October 17, 2022, Plaintiff filed an opposition to Defendants' motion to dismiss Plaintiff's Complaint. ECF No. 15.
6. On December 12, 2022, Magistrate Judge Lois H. Goodman denied Plaintiff's motion to proceed by pseudonym. ECF No. 19.

7. On January 7, 2023, Plaintiff filed a motion for reconsideration of the Court's December 12, 2022 Order denying Plaintiff's motion to proceed by pseudonym. ECF No. 20.

8. On March 31, 2023, Magistrate Judge Lois H. Goodman denied Plaintiff's motion for reconsideration. ECF No. 24.

9. On April 6, 2023, District Judge Michael A. Shipp denied Defendants' motion to dismiss. ECF Nos. 25-26.

10. On April 10, 2023, Plaintiff filed a notice of appeal to the Third Circuit as to the Court's denial of Plaintiff's motion for reconsideration¹. ECF No. 27.

11. On April 13, 2023, Plaintiff filed an appeal to the District Judge of the Magistrate Judge's March 31, 2023 decision, in accordance with Local Civil Rule 72.1(a). ECF No. 31.

12. On April 26, 2023, the Court stayed discovery and related pretrial proceedings until Plaintiff's appeal is resolved. ECF No. 37.

13. On September 14, 2023, the Court referred this case to mediation. ECF No. 44.

14. The parties had originally set mediation in this case for April 24, 2024.

15. In light of an emergency, the parties rescheduled mediation in this case to May 21, 2024.

16. In light of the upcoming mediation, the parties request an additional 30 days to file an updated joint status report as to the result of mediation.

The parties thank the Court for its attention to this matter.

¹ Plaintiff's Appeal to the Third Circuit is stayed during the pendency of Plaintiff's Appeal to the District Judge.

Dated: May 9, 2024

NESENOFF & MILTENBERG, LLP

By: /s/ Helen Setton
Helen Setton, Esq.
Kristen Mohr, Esq.
363 Seventh Avenue, Fifth Floor
New York, New York 10001
(212) 736-4500
hsetton@nmlplaw.com
kmohr@nmlplaw.com
Attorneys for Plaintiff

**OFFICE OF THE NEW JERSEY ATTORNEY
GENERAL**

By: /s/David Coppola
David Coppola
Deputy Attorney General
25 Market Street, P.O. Box 112
Trenton, New Jersey 08625
(609) 376-2440
david.coppola@law.njoag.gov
Attorneys for Defendants